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EXAMINER

DIEP, TRUNG T

ART UNIT

PAPER NUMBER

2622

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/608,093	Applicant(s) WATANABE ET AL.	
	Examiner TRUNG DIEP	Art Unit 2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 October 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 June 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1 – 11 and newly added claims 12 – 21 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1- 4, 7- 9, 11, and 14 -19 are rejected under 35 U.S.C. 102 (e) as being anticipated by Squilla et al. (US 6,919,920 B2).

As to claim, Squilla discloses in figures 1-7, an image management apparatus (i.e., imaging spot 10, figure 1, Col. 3, lines 53-60) comprising:

a photography instruction information storage memory (content database 12, fig. 1) configured to store photography instruction information that indicates a subject to be photographed (see figure 1, Col. 3, lines 55-60 and Col. 4, lines 2-5, wherein the content database contains variety information about the feature that qualifies as an image spot);

a communications interface (wireless transceiver 18 and antenna 20, fig. 1) configured to send the photography instruction information to an imaging apparatus via a wireless communication network and for receiving information transmitted via the wireless communication network (see figure 1, Col. 3, lines 66-67 and Col. 4, lines 1-2, wherein the wireless communication subsystem includes wireless transceiver 18 interchanging signals with an antenna 20 and telecommunication processor for communicating with digital camera 24);

an input unit (wireless transceiver 18 and antenna 20, fig. 1) configured to receive an input of image data obtained by the imaging apparatus according to the photography instruction information (see figure 1, Col. 4, lines 61-65, wherein the photographed image exchange is taken via wireless link 60); and

a storage memory (memory unit 16, fig. 1) configured to store the image data (see figure 1, Col. 3, lines 62-66, wherein the digital data is stored in memory unit 16 which process is controlled by the personal computer 14).

With regard to claim 2, Squilla discloses all basic limitations as discussed in claim 1. Squilla further discloses the input unit is configured to receive the input of the image data sent from the imaging apparatus via the wireless communication network (see figure 1, Col. 4, lines 61-65, wherein the wireless communication subsystem includes wireless transceiver 18 interchanging signals with an antenna 20 and telecommunication processor for communicating with digital camera 24 which their combined functionalities are functioned as the input unit, and the photographed image

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data exchange is taken place between the camera and image spot via wireless link 60).

With regard to claim 3, Squilla discloses all basic limitations as discussed in claim 1. Squilla further discloses the communication control unit configured to compare means for comparing the image data stored in the storage memory with the photography instruction information stored in the photography instruction information storage memory, and for controlling the communications interface such that the photography instruction information corresponding to the image data is sent again to the imaging apparatus in the case where the storage memory does not have the image data corresponding to the photography instruction information (see figures 2 and 5, Col. 8, lines 51-67 and Col. 9, lines 1-16, wherein the received image data is reviewed against the data stored in the personality file which the result determines what extra data is to be used in performing the extra services requested, and the extra data or content may be reviewed on the LCD of the camera. Thus, the combined functionalities of the image spot 10 and server 70 functions as the image management apparatus).

With regard to claim 4, Squilla discloses all basic limitations as discussed in claim 1. Squilla further discloses the photography instruction information includes at least position information representing a position of the subject (see Col. 7, lines 47-67 and Col. 8, lines 1-9, wherein the content databases in the image spot 10 includes global positioning (GPS) data).

With regard to claim 7, Squilla discloses all basic limitations as discussed in claim 1. Squilla further discloses the wireless communication network refers to one of a wireless local area network (LAN) communication network, or a cellular phone network, and a short range wireless communication network (see figure 1, Col. 4, lines 61-65, wherein the photographed image exchange is taken placed between the camera and image spot via wireless link 60) .

As to claim 8, Squilla discloses in figures 1-7, an imaging apparatus (i.e., photographic system including a camera that is capable of interactive data communication with sources of digital data associated with one or more scenes, Col. 1, lines 13-16) comprising:

- an imaging unit (CCD 44, fig. 1) configured to obtain image data representing a subject by photography of the subject (see figure 1, Col. 4, lines 33-35, wherein the image sensor which generates an image signal from the captured image);

- a receptor (transceiver 30, fig. 1) configured to receive the photography instruction information from an image management apparatus (see figure 1, Col. 4, lines 47-51 and Col. 5, lines 29-34, wherein the digital image is exchanged between the digital camera 24 and the image spot 10 via wireless link 60);

- a monitor (LCD screen 50, fig. 1) configured to display information including the photography instruction information (see figures 1 and 5, Col. 5, lines 10-12 and Col. 9,

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lines 5-7, wherein the photographed data and content information can be displayed);
and

a storage memory (memory 48, fig. 1) configured to store the image data obtained by the imaging means according to the photography instruction information (see figure 1, Col. 5, lines 25-29, wherein the captured image and selected content associated with the image are stored in the recording memory 48),

wherein the image management apparatus comprises a photography instruction information storage memory (content database 12, fig. 1) configured to store photography instruction information that indicates a subject to be photographed (see figure 1, Col. 3, lines 55-60 and Col. 4, lines 2-5, wherein the content database contents variety information about the feature that qualifies as an image spot),

a communications interface (wireless transceiver18 and antenna 20, fig. 1) configured to send the photography instruction information to the imaging apparatus via a wireless communication network and for receiving information transmitted via the wireless communication network (see figure 1, Col. 3, lines 66-67 and Col. 4, lines 1-2, wherein the wireless communication subsystem includes wireless transceiver18 interchanging signals with an antenna 20 and telecommunication processor for communicating with digital camera 24), and

an input unit (wireless transceiver18 and antenna 20, fig. 1) configured to receive an input of image data obtained by the imaging apparatus according to the photography instruction information (see figure 1, Col. 4, lines 61-65, wherein the photographed

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image exchange is taken place between the camera and image spot via wireless link 60).

With regard to claim 9, Squilla discloses all basic limitations as discussed in claim 1. Squilla further discloses the transmitter configured to send the image data stored in the storage memory to the image management apparatus via the wireless communication network (see figure 1, Col. 4, lines 47-51 and Col. 5, lines 29-34, wherein the digital image is exchanged between the digital camera 24 and the image spot 10 via wireless link 60).

As to claim 11, Squilla discloses in figures 1-7, an image storage management system (i.e., photographic system including a camera that is capable of interactive data communication with sources of digital data associated with one or more scenes, Col. 1, lines 13-16) comprising: an image management apparatus (i.e., imaging spot 10, figure 1, Col. 3, lines 53-60) comprising:

- a photography instruction information storage memory (content database 12, fig. 1) configured to store photography instruction information that indicates a subject to be photographed (see figure 1, Col. 3, lines 55-60 and Col. 4, lines 2-5, wherein the content database contents variety information about the feature that qualifies as an image spot);

- a communications interface (wireless transceiver 18 and antenna 20, fig. 1) configured to send the photography instruction information to an imaging apparatus via a wireless communication network and for receiving information transmitted via the

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wireless communication network (see figure 1, Col. 3, lines 66-67 and Col. 4, lines 1-2, wherein the wireless communication subsystem includes wireless transceiver18 interchanging signals with an antenna 20 and telecommunication processor for communicating with digital camera 24);

an input unit (wireless transceiver18 and antenna 20, fig. 1) configured to receive an input of image data obtained by the imaging apparatus according to the photography instruction information (see figure 1, Col. 4, lines 61-65, wherein the photographed image exchange is taken placed between the camera and image spot via the wireless link 60); and

a storage memory (memory unit 16, fig.1) configured to store the image data (see figure 1, Col. 3, lines 62-66, wherein the digital data is stored in memory unit 16 which process is controlled by the personal computer 14, and **at least one** imaging apparatus (i.e., digital camera 24, figure 1, Col. 4, lines 61-65) comprising:

an imaging unit (CCD 44, fig. 1) configured to obtain image data representing a subject by photography of the subject (see figure 1, Col. 4, lines 33-35, wherein the image sensor which generates an image signal from the captured image);

a receptor (transceiver 30, fig. 1) configured to receive the photography instruction information from the image management apparatus (see figure 1, Col. 4, lines 47-51 and Col. 5, lines 29-34, wherein the digital image is exchanged between the digital camera 24 and the image spot 10 via wireless link 60);

a monitor (LCD screen 50, fig. 1) configured to display information including the photography instruction information (see figures 1 and 5, Col. 5, lines 10-12 and Col. 9,

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lines 5-7, wherein the photographed data and content information can be displayed);
and

a storage memory (memory 48, fig. 1) configured to store means the image data obtained by the imaging means according to the photography instruction information (see figure 1, Col. 5, lines 25-29, wherein the captured image and selected content associated with the image are stored in the recording memory 48).

With regard to claim 14, Squilla discloses all basic limitations as discussed in claim 1. Squilla further discloses the photography instruction information includes a plurality of subjects to be photographed (see figure 1, Col. 3, lines 57-63, wherein the spots would include accessible viewing points, sport sites, and national park system sites).

With regard to claim 15, Squilla discloses all basic limitations as discussed in claim 8. Squilla further discloses the photography instruction information includes a plurality of subjects to be photographed (see figure 1, Col. 3, lines 57-63, wherein the spots would include accessible viewing points, sport sites, and national park system sites).

With regard to claim 16, Squilla discloses all basic limitations as discussed in claim 11. Squilla further discloses the photography instruction information includes a plurality of subjects to be photographed (see figure 1, Col. 3, lines 57-63, wherein the

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spots would include accessible viewing points, sport sites, and national park system sites).

With regard to claim 17, Squilla discloses all basic limitations as discussed in claim 11. Squilla further discloses the image management apparatus further comprises a communication control unit configured to compare the image data stored in the storage memory with the photography instruction information stored in the photography instruction information storage memory, and for controlling the communications interface so that the photography instruction information corresponding to the image data is sent again to the imaging apparatus in the case where the storage memory does not have the image data corresponding to the photography instruction information (see figures 2, 4, and 5, Col. 8, lines 51-67 and Col. 9, lines 1-16, wherein the received image data is reviewed against the data stored in the personality file which the result determines what extra data is to be used in performing the extra services requested, and the extra data or content may be reviewed on the LCD of the camera. Thus, the combined functionalities of the image spot 10 and server 70 functions as the image management apparatus).

With regard to claim 18, Squilla discloses all basic limitations as discussed in claim 8. Squilla further discloses the image management apparatus further comprises a communication control unit configured to compare the image data stored in the storage memory with the photography instruction information stored in the photography

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instruction information storage memory, and for controlling the communications interface such that the photography instruction information corresponding to the image data is sent again to the imaging apparatus in the case where the storage memory does not have the image data corresponding to the photography instruction information (see figures 2, 4, and 5, Col. 8, lines 51-67 and Col. 9, lines 1-16, wherein the received image data is reviewed against the data stored in the personality file which the result determines what extra data is to be used in performing the extra services requested, and the extra data or content may be reviewed on the LCD of the camera. Thus, the combined functionalities of the image spot 10 and server 70 functions as the image management apparatus).

With regard to claim 19, Squilla discloses all basic limitations as discussed in claim 1. Squilla further discloses the image management apparatus further comprises a communication control unit configured to compare the image data stored in the storage memory with the photography instruction information stored in the photography instruction information storage memory, and for controlling the communications interface such that the photography instruction information corresponding to the image data is sent again to the imaging apparatus in the case where the image data does not meet a predetermined level of quality (see figures 2 and 5, Col. 8, lines 51-67 and Col. 9, lines 1-16, wherein the received image data is reviewed against the data stored in the personality file which the result determines what extra data is to be used in performing the extra services requested, and the extra data or content may be reviewed on the LCD

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of the camera. Thus, the combined functionalities of the image spot 10 and server 70 functions as the image management apparatus).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 5, 10, 20 and 21 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Squilla et al. (US 6,919,920 B2) in view of Hull et al. (US 5,806,005).

With regard to claim 5, Squilla discloses all basic limitations as discussed in claim 3. Squilla further discloses the communication control unit is configured to control the communication unit so as to send to the imaging apparatus the photography instruction information corresponding to the position of the imaging apparatus (see figure 1, Col. 4, lines 47-51 and Col. 5, lines 29-34, wherein the digital image is exchanged between the digital camera 24 and the image spot 10 via wireless link 60).

However, Squilla does not disclose a position detector configured to a position of the imaging apparatus.

As taught by Hull and disclosed in figure 1, Col. 1 line 65 to Col. 2, line 62, wherein an improved portable image transfer system which includes a digital camera

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capturing image in digital form and stores in the memory, a cellular telephone transmitter, controlled by the CPU, transmits the data received from the camera memory. If the location information is to be included with each captured image, a GPS receiver can be coupled to the CPU.

Therefore, it would have been obvious at the time the invention was made to one having ordinary skill in the art to modify the Squilla device by incorporating the method as taught by Hull so that the position information can be included with the captured image.

With regard to claim 10, Squilla discloses all basic limitations as discussed in claim 9. Squilla further discloses a transmitter controller configured to control transmission control means for controlling the transmitter so as transmission means to send the position information to the image management apparatus (see figure 1, Col. 4, lines 47-51 and Col. 5, lines 29-34, wherein the digital image is exchanged between the digital camera 24 and the image spot 10 via wireless link 60).

However, Squilla does not disclose a position detector configured to obtain position information representing a position of an imaging apparatus.

As taught by Hull and disclosed in figure 1, Col. 1 line 65 to Col. 2, line 62, wherein an improved portable image transfer system which includes a digital camera capturing image in digital form and stores in the memory, a cellular telephone transmitter, controlled by the CPU, transmits the data received from the camera

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memory. If the location information is to be included with each captured image, a GPS receiver can be coupled to the CPU.

Therefore, it would have been obvious at the time the invention was made to one having ordinary skill in the art to modify the Squilla device by incorporating the method as taught by Hull so the position information can be included with the captured image.

With regard to claim 20, Squilla discloses all basic limitations as discussed in claim 8. Squilla further discloses the communication control unit configured to compare the image data stored in the storage memory with the photography instruction information stored in the photography instruction information storage memory (see figures 2 and 5, Col. 8, lines 51-67 and Col. 9, lines 1-16, wherein the received image data is reviewed against the data stored in the personality file which the result determines what extra data is to be used in performing the extra services requested, and the extra data or content may be reviewed on the LCD of the camera. Thus, the combined functionalities of the image spot 10 and server 70 functions as the image management apparatus).

However, Squilla does not teach the communications interface controls, such that the photography instruction information corresponding to, the image data is sent again to the imaging apparatus in the case where the image data does not meet a predetermined level of quality.

As taught by Hull and disclosed in figure 1, Col. 3, lines 34-54, wherein the portable image transfer system which includes a digital camera capturing image in

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digital form and stores in the memory, a cellular telephone transmitter, controlled by the CPU, transmits the data received from the camera memory. The captured image can be sent to the server for analyzing/processing with the server interactively responding with requests for additional images, and the server would process the captured images to determine if a good stereo image can be created.

Therefore, it would have been obvious at the time the invention was made to one having ordinary skill in the art by incorporating the method as taught by Hull so that the quality of the captured images would be improved along with the money and time saving since the photographer would not have to make multiple trips between the remote station and the server station.

With regard to claim 21, Squilla discloses all basic limitations as discussed in claim 11. Squilla further discloses the image management apparatus further comprises a communication control unit configured to compare the image data stored in the storage memory with the photography instruction information stored in the photography instruction information storage memory (see figures 2 and 5, Col. 8, lines 51-67 and Col. 9, lines 1-16, wherein the received image data is reviewed against the data stored in the personality file which the result determines what extra data is to be used in performing the extra services requested, and the extra data or content may be reviewed on the LCD of the camera. Thus, the combined functionalities of the image spot 10 and server 70 functions as the image management apparatus).

However, Squilla does not teach the communications interface controls, such that the photography instruction information corresponding to, the image data is sent again to the imaging apparatus in the case where the image data does not meet a predetermined level of quality.

As taught by Hull and disclosed in figure 1, Col. 3, lines 34-54, wherein the portable image transfer system which includes a digital camera capturing image in digital form and stores in the memory, a cellular telephone transmitter, controlled by the CPU, transmits the data received from the camera memory. The captured image can be sent to the server for analyzing/processing with the server interactively responding with requests for additional images, and the server would process the captured images to determine if a good stereo image can be created.

Therefore, it would have been obvious at the time the invention was made to one having ordinary skill in the art by incorporating the method as taught by Hull so that the quality of the captured images would be improved along with the money and time saving since the photographer would not have to make multiple trips between the remote station and the server station.

6. Claims 6, 12, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Squilla et al. (US 6,919,920 B2) in view of Coverdale et al. (US 6,373,842 B1).

With regard to claim 6, Squilla discloses all basic limitations as discussed in claim 1. Squilla further discloses the photography instruction information includes a

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photography process representing the type of the subject to be photographed (see figure 1, Col. 3, lines 55-60 and Col. 4, lines 2-5, wherein the content database contains variety information about the feature that qualifies as an image spot). Squilla does not explicitly teach a deadline for obtaining the image data.

However, as taught by Coverdal and disclosed in figures 2-7, Col. 5, line 29 to Col. 6, line 41, wherein the requested images data from a wireless terminal 140 can be delivered by a voice mail server 110 via the wireless network 120. Coverdale further teaches the processing method for requesting images data and the deadline imposed on i.e., if the retransmitted frame arrives prior to the time that frame needs to be delivered, the corrupted frame is replaced by the retransmitted frame, and if the retransmitted frame is not received prior to the time that frame needs to be delivered, the corrupted frame is reconstructed. Any retransmitted frame which arrives too late is discarded.

Therefore, it would have been obvious at the time the invention was made to one having ordinary skill in the art by incorporating the method as taught by Coverdale so that the photographer would be able to effectively plan his schedule for the day without wasting valuable time.

With regard to claim 12, Squilla discloses all basic limitations as discussed in claim 8. Squilla further discloses the photography instruction information includes a photography process representing the type of the subject to be photographed (see figure 1, Col. 3, lines 55-60 and Col. 4, lines 2-5, wherein the content database contents

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variety information about the feature that qualifies as an image spot). Squilla does not explicitly teach a deadline for obtaining the image data.

However, as taught by Coverdal and disclosed in figures 2-7, Col. 5, line 29 to Col. 6, line 41, wherein the requested images data from a wireless terminal 140 can be delivered by a voice mail server 110 via the wireless network 120. Coverdale further teaches the processing method for requesting images data and the deadline imposed on i.e., if the retransmitted frame arrives prior to the time that frame needs to be delivered, the corrupted frame is replaced by the retransmitted frame, and if the retransmitted frame is not received prior to the time that frame needs to be delivered, the corrupted frame is reconstructed. Any retransmitted frame which arrives too late is discarded.

Therefore, it would have been obvious at the time the invention was made to one having ordinary skill in the art by incorporating the method as taught by Coverdale so that the photographer would be able to effectively plan his schedule for the day without wasting valuable time.

With regard to claim 13, Squilla discloses all basic limitations as discussed in claim 11. Squilla further discloses the photography instruction information includes a photography process representing the type of the subject to be photographed (see figure 1, Col. 3, lines 55-60 and Col. 4, lines 2-5, wherein the content database contents variety information about the feature that qualifies as an image spot). Squilla does not explicitly teach a deadline for obtaining the image data.

However, as taught by Coverdal and disclosed in figures 2-7, Col. 5, line 29 to Col. 6, line 41, wherein the requested images data from a wireless terminal 140 can be delivered by a voice mail server 110 via the wireless network 120. Coverdale further teaches the processing method for requesting images data and the deadline imposed on i.e., if the retransmitted frame arrives prior to the time that frame needs to be delivered, the corrupted frame is replaced by the retransmitted frame, and if the retransmitted frame is not received prior to the time that frame needs to be delivered, the corrupted frame is reconstructed. Any retransmitted frame which arrives too late is discarded.

Therefore, it would have been obvious at the time the invention was made to one having ordinary skill in the art by incorporating the method as taught by Coverdale so that the photographer would be able to effectively plan his schedule for the day without wasting valuable time.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

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mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TRUNG DIEP whose telephone number is (571)270-5088. The examiner can normally be reached on Mon.,- Thur., 8:00 am,-5:00 p.m. EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lin Ye can be reached on (571) 272-7372. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Trung Diep/
Examiner, Art Unit 2622

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/NHAN T. TRAN/

Primary Examiner, Art Unit 2622